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PTO/SB/21 (09-04) (AW 10/2004) Approved for use through 7/31/2006. OMB 0651-0031

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 3 & 3 Refs.

Application Number	10/813,372	
Filing Date	March 30, 2004	
First Named Inventor	Ming Li	
Art Unit	2812	
Examiner Name	Richard A. Booth	
Attorney Docket No.	MATG-395US	

ENCLOSURES (Check all that apply)			
Fee Transmittal Form Fee Attached	Drawing(s)		After Allowance Communication to TC
Amendment/Reply After Final Affidavits/Declaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement Certified Copy of Priority Document(s	Licensing-related Papers Petition Petition to Convert to a Provisional Application Power of Attorney, Revocation, Change of Correspondence Address Terminal Disclaimer Request for Refund CD, Number of CD(s)		Appeal Communication to Board of Appeals and Interferences Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) Proprietary Information Status Letter Other Enclosure(s) (please identify below): PTO/SB/08a; 3 Foreign Patent References; Return Receipt Postcard.
Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53	Landscape Table on CD Remarks:	<u> </u>	
SIGNA	URE OF APPLICANT, ATTORNEY OR AC	SENT	
Firm Name RatnerPrestia	_		
Signature	ase \		
Printed Name Lowell L. Carson			
Date November 2, 2006	Registration No.	48,5	548
CE	RTIFICATE OF TRANSMISSION / MAILING	3	
	with the United States Postal Service with sufficient postag Box 1450, Alexandria, VA 22313-1450 on the date shown		ass mail in an envelope addressed to:
Signature Kathlee	Rolna.		
Typed or Printed Name Kathleen Spina		Date	November 2, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Office, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, ALEXANDRIA, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: 10/813,372 Applicants: Ming Li et al. Filed: March 30, 2004

Title: METHOD FOR MODIFYING EXISTING MICRO-AND-NANO STRUCTURES USING A

NEAR-FIELD SCANNING OPTICAL MICROSCOPE

T.C./A.U.: 2812

Examiner: Richard A. Booth

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO/SB/08a submitted herewith. A copy of the references listed on the PTO/SB/08a, other than U.S. patents, is enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

More than three months have elapsed since the filing of the above-referenced application and a first (non-Final) Official Action has been received. No Final Action or Notice of Allowance has yet been received and it is presumed that none has yet been mailed.

Accordingly, as more specifically indicated below, a statement as required by 37 C.F.R. § 1.97(c) is provided herewith.

STATEMENT

No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months before the filing of the Information Disclosure Statement.

Respectfully submitted,

Kenneth N. Nigon, Reg. No. 31,549 Lowell L. Carson, Reg. No. 48,548

Attorneys for Applicants

KNN/LLC/ks

Enclosures: PTO/SB/08a;

(3) References Transmittal Form

Dated: November 2, 2006

The Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. **18-0350** of any fees associated with this communication.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: **Mail Stop Amendment**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on: **November 2, 2006**

Kathleen Spina



INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

SHEET 1 of 1

Complete if Known		
Application Number	10/813,372	
Filing Date	March 30, 2004	
First Named Inventor	Ming Li	
Art Unit	2812	
Examiner Name	Richard A. Booth	
Attorney Docket No.	MATG-395US	

	U.S. PATENT DOCUMENTS				
		Document Number			Pages, Columns, Lines, Where
Examiner Initials*	Cite No. ¹	Number - Kind Code ^{2 (if known)}	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Relevant Passages or Relevant Figures Appear
		US-6,337,479	01-08-2002	Kley	
		US-6,265,722	07-24-2001	Kley	
-		US5,886,531	03-23-1999	Gilles Delcourt	
		US-6,144,028	11-07-2000	Kley	
		US-08/412,380	03-29-1995	Kley	
		US- 5,886,531	03-23-1999	Gilles Delcourt	
		US- 6,339,217	01-15-2002	Kley	
		US- 08/412,380	03-29-1995	Kley	
		US- 5,751,683	05-12-1998	Kley	
		US- 5,756,997	05-26-1998	Kley	
		US- 08/786,623	01-21-1997	Kley	
		US-08/827,953	04-06-1997	Kley	
		US-			

	FOREIGN PATENT DOCUMENTS					
	671	Foreign Patent Document	D 1.11-11-11-11-11-11-11-11-11-11-11-11-11	Name of Patentee or	Pages, Columns, Lines, Where Relevant	
Examiner Initials*	Cite No.1	Country Code ³ - Number ⁴ - Kind Code ⁵ (If known)	Publication Date (MM-DD-YYYY)	Applicant of Cited Document	Passages or Relevant Figures Appear	
•		WO 97/04449	02/06/1997	Kley		
		WO 96/03641	02/08/1996	Kley		
		WO 98/34092	08/06/1998	Kley		

Signature Considered	Examiner	Date
	Signature_	Considered

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

Applicant's unique citation designation number (optional).

²See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

³Enter Office that issued the document, by the two-letter code (WIPO Standard St.3).

⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.

Applicant is to place a check mark here if English language translation is attached.

The collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.41. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.